IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

CRP.No. 1203 of 2000(E)

(TLB.23/1988 of TALUK LAND BOARD, TALIPARAMBA)

REVN. PETITIONER/CLAIMANT:

MARATHANKOVAL JANAKI,
KOCHILAKKAD HOUSE,
POST ARAVANCHAL,
VIA. PAYYANNUR.

BY ADV. SRI.O.RAMACHANDRAN NAMBIAR

RESPONDENTS/RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY, LAND BOARD, TRIVANDRUM, SECRETARIAT, TRIVANDRUM.

2. THE TALUK LAND BOARD, TALIPARAMBA.

BY GOVERNMENT PLEADER ADV. SHRI THOMAS JOHN AMBOOKEN.

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRP.No. 1203 of 2000(E)

ORDER ON C.M.P.NO. 2456 OF 2000 IN C.R.P.NO. 1203 OF 2000

DISMISSED.

14.12.2007 SD/- K.T. SANKARAN, JUDGE.

/TRUE COPY/

P.A. TO JUDGE.

K.T. SANKARAN, J.

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C.R.P. No. 1203 OF 2000

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Dated this the 14th December, 2007

O R D E R

As per the final order dated 10.07.1992 , the revision petitioner/declarant was directed to surrender an extent of 3.60 acres of land in R.S.No. 317/1A of Peringome amsom desom. That order was challenged in C.R.P.No. 1728 of 1992. The revision was disposed of granting only an opportunity to the petitioner to file an option statement. The Taluk Land Board, thereafter passed an order dated 26.06.1997. That order was challenged by the declarant in C.R.P.No. 2131 of 1997 complaining that she was not afforded an opportunity to file option statement. C.R.P.No. 2131 of 1997 was disposed of on 14.11.1997 granting opportunity to the declarant to file a fresh option statement. The Taluk Land Board considered the question of option and held as follows:

> *"As regards the land opted for surrender, the petitioner agreed to show the land proposed to be surrendered. The Taluk Land Board accordingly accepted the option statement filed by the party and ordered to surrender an extent of 3.60 acres in R.S.No. 317/1A of Peringome amsom and desom within 7 days on receipt of this order.*
>
> *The Tahsildar, Taliparamba is directed to take over possession of the land. He should ensure that the land shown by the party is in her direct possession with good title and proper access as stipulated in sub section (6) of sec. 85. The Tahsildar is directed to take over possession of the land in case the land owner fails to surrender the surplus land voluntarily within the stipulated time."*

2. The order passed by the Taluk Land Board is perfectly in accordance with the

provisions of the Kerala Land Reforms Act. The Taluk Land Board also held that certain contentions raised by the declarant are outside the purview of the orders in C.R.P.Nos. 1728 of 1992 and 2131 of 1997. As per the orders in the aforesaid Revisions, the only question that could be considered by the Taluk Land Board is with regard to option. The Taluk Land Board was justified in rejecting the contentions which are outside the scope of the remand order in the Revisions.

The Civil Revision Petition lacks merit and it is accordingly dismissed. No order as to costs.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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C.R.P. No. 1203 OF 2000

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Dated this the 14th December, 2007

O R D E R